

Remarks

Claims 1-21 are currently pending. Claims 1-18 and 20 have been amended while new claim 21 has been added. Applicants assert that all claims are in condition for allowance as set forth more fully below.

Interview Summary

The undersigned participated in a telephone interview with the Examiner on November 16, 2004. During the interview, deficiencies in the Takagi reference were discussed in relation to subject matter of the present invention. Namely it was discussed that Takagi doesn't disclose circuitry including memory for having multiple ring tones and that there is no teaching or suggestion that different batteries may be provided with different ring tones so that batteries can be switched to thereby switch the available ring tones for the cellular telephone.

Double Patenting

Claims 1-20 have been provisionally rejected due obviousness-type double patenting as being unpatentable over claims 1-20 of co-pending application 10/101,630. A terminal disclaimer has been included to overcome this provisional rejection.

103 Rejections

Claims 1-3, 5-10, 12-14, and 16-19 stand rejected under 35 USC 103(a) as being unpatentable over Takagi (US Pat 5,251,329) in view of Makela (US Pat 6,501,967). Claims 4, 11, and 15 stand rejected under 35 USC 103(a) as being unpatentable over Takagi (US Pat 5,251,329) in view of Makela (US Pat 6,501,967) and further in view of Haraguchi (US Pat 6,597,279). Applicants respectfully traverse these rejections.

All pending claims now include recitations to a first battery and a second battery. As a representative example, claim 1 recites a first battery for providing power to the cellular telephone and a first sound generating device attached to the first battery and comprising memory for storing a first sound file, wherein the first sound generating device is triggered to play sound associated with the first sound file when the first battery is installed in the cellular telephone upon detection of a telephone call by the cellular

telephone. Claim 1 further recites a second battery for providing power to the cellular telephone and a second sound generating device attached to the second battery and comprising memory for storing a second sound file different from the first sound file, wherein the second sound generating device is triggered to play sound associated with the second sound file when the second battery is installed in the cellular telephone upon detection of the telephone call by the cellular telephone.

From these claim recitations, it is evident that the two batteries provide different sound files so that a user can select a different sound from what is currently available for a cellular phone by switching from the first battery to the second battery.

The cited art fails to disclose two batteries for a cellular telephone with each battery having different sound files so that switching batteries allows the sounds to be changed. Takagi only discloses a battery having a ringer device 25. There is no discussion of one battery having one ringer device with one sound file while there being another battery having a ringer device with another sound file. Furthermore, the other references including Makela and Haraguchi disclose the sound files being located within the phone rather than within the battery. These references therefore do not disclose or suggest that Takagi should be modified to include different batteries having different sound files to allow the battery to be changed to change the available sound files.

Accordingly, these cited references fail to disclose, singly or in combination, the recitations of claim 1. The additional independent claims 5-7, 12, 16-18, and 20 include similar recitations involving two batteries having different sound file(s) such that these additional independent claims are also allowable over the cited references. Furthermore, dependent claims 2-4, 8-11, 13-15, and 19 depend from allowable base claims and are also allowable for at least the same reasons.

New Claim 21

New claim 21 recites subject matter similar to that of the claims discussed above, and it is asserted that claim 21 is also allowable over the cited references for at least the same reasons.

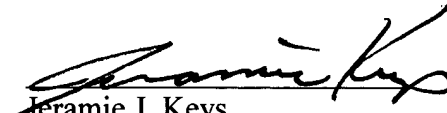
Conclusion

Applicants assert that the application including claims 1-21 is now in condition for allowance. Applicants request reconsideration in view of the amendments and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees beyond the fee for one new independent claim are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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